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8 ALLSTATE NORTHBROOK INDEMNITY COMPANY  
erroneously sued as Allstate Indemnity Company

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

JAMES GLORIA.

**Plaintiff,**

V.

ALLSTATE INDEMNITY COMPANY,  
a business entity; and DOES 1 through 50,  
inclusive.

## Defendants

Case No. 2:22-cv-01126-WBS-CKD

## **ORDER GRANTING STIPULATION TO MODIFY SCHEDULING ORDER**

Hon. William B. Shubb  
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney  
Courtroom 24, 8th Floor

1        This stipulation is hereby entered into by and between plaintiff James Gloria and defendant  
2 Allstate Northbrook Indemnity Company, by and through their respective counsel.

3        Whereas, the parties have discussed the witnesses who will need to be deposed in this case  
4 and are working on scheduling depositions;

5        Whereas, the parties have met and conferred regarding the filing of cross-motions for  
6 summary judgment and agree that such motions would be appropriate in this case;

7        Whereas, the parties would like to defer the time and expense of expert discovery and  
8 certain fact discovery until after the Court has ruled on the cross-motions for summary judgment;

9        Whereas, the filing deadline for the parties' cross-motions for summary judgment is  
10 January 26, 2024;

11        Whereas, the filing deadline for the parties' oppositions to cross-motions for summary  
12 judgment is February 9, 2024;

13        Whereas, the filing deadline for the parties' reply briefs in support of their cross-motions  
14 for summary judgment is February 20, 2024;

15        Whereas, the hearing date for the parties' cross-motions for summary judgment is March 4,  
16 2024 at 1:30 p.m.;

17        Whereas, the current deadline to disclose experts and produce expert reports is May 7,  
18 2024;

19        Whereas, the current deadline to disclose rebuttal experts and produce rebuttal expert  
20 reports is June 5, 2024;

21        Whereas, the current discovery completion date is July 5, 2024;

22        Whereas, the current deadline to file all motions, except motions for continuances,  
23 temporary restraining orders, or other emergency applications, is June 7, 2024;

24        Whereas, the final pretrial conference is currently scheduled for August 12, 2024, at 1:30  
25 p.m.;

26        Whereas, trial is currently scheduled for October 8, 2024 at 9:00 a.m.;

27        Whereas, the parties have met and conferred and agree that the foregoing case management  
28 dates and deadlines should be continued to allow additional time to conduct the discovery needed

1 to file cross-motions for summary judgment and to set a briefing schedule for those motions such  
2 that any remaining discovery (including expert discovery) can be deferred until after the Court  
3 rules on the parties' cross-motions;

4       Therefore, subject to the Court's approval, the Parties, by and through their respective  
5 attorneys of record, hereby stipulate to modify the Court's most recent scheduling order (ECF No.  
6 12), including the briefing schedule for the parties' cross-motions for summary judgment, as  
7 proposed below:

8       1.      The parties' cross-motions for summary judgment shall be filed on or before May  
9 24, 2024;

10       2.      Any opposition to the parties' cross-motions for summary judgment shall be filed  
11 on or before June 14, 2024;

12       3.      Any reply brief in support of the parties' cross-motions for summary judgment  
13 shall be filed on or before June 28, 2024;

14       4.      The hearing date for the parties' cross-motions for summary judgment shall be  
15 scheduled for July 8, 2024 at 1:30 p.m.;

16       5.      The deadline to disclose experts and produce expert reports shall be continued to  
17 October 11, 2024;

18       6.      The deadline to disclose rebuttal experts and produce rebuttal expert reports shall  
19 be continued to November 8, 2024;

20       7.      The discovery completion date shall be continued to November 15, 2024;

21       8.      The deadline to file all motions, except motions for continuances, temporary  
22 restraining orders, or other emergency applications, shall be continued to December 13, 2024;

23       9.      The final pretrial conference shall be continued to January 13, 2025 at 1:30 p.m.;  
24 and

25       10.     The trial date shall be continued to March 11, 2025 at 9:00 a.m.

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1 IT IS SO STIPULATED.<sup>1</sup>

2 Dated: January 25, 2024

3 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

4 By

*/s/ Joseph E. Foss*

JOSEPH E. FOSS

Attorneys for Defendant

Allstate Northbrook Indemnity Company

7 Dated: January 25, 2024

9 By

*/s/ Jonathan Amir Durham*

10 JONATHAN AMIR DURHAM

Attorneys for Plaintiff

James Gloria

27 <sup>1</sup> The filer certifies that all other signatories listed, and on whose behalf the filing is submitted,  
28 concur in the filing's content and have authorized the filing.

## ORDER

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED  
that the Scheduling Order in this case (ECF No. 12) be modified as follows:

1. The parties' cross-motions for summary judgment shall be filed on or before May  
24, 2024;
  2. Any opposition to the parties' cross-motions for summary judgment shall be filed  
on or before June 14, 2024;
  3. Any reply brief in support of the parties' cross-motions for summary judgment  
shall be filed on or before June 28, 2024;
  4. The hearing date for the parties' cross-motions for summary judgment shall be  
scheduled for **July 8, 2024 at 1:30 p.m.**;
  5. The deadline to disclose experts and produce expert reports shall be continued to  
October 11, 2024;
  6. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall  
be continued to November 8, 2024;
  7. The discovery completion date shall be continued to November 15, 2024;
  8. The deadline to file all motions, except motions for continuances, temporary  
restraining orders, or other emergency applications, shall be continued to **December 13, 2024**;
  9. The final pretrial conference shall be continued to **Feb. 24, 2025 at 1:30 p.m.**; and
  10. The trial date shall be continued to **April 15, 2025 at 9:00 a.m.**

Dated: January 29, 2024

William B. Shubb  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE